

ABSTRACT

PUBLIC SERVICES - PANCHAYAT RAJ & RURAL DEVELOPMENT DEPARTMENT - Allegations of corruption of demand and acceptance of bribe against Sri Peethala Kotnis Babu, @ Peethala Doctor Kotnis Babu, Formerly Divisional Panchayat Officer, Rajahmundry Division, Rajahmundry, East Godavari District - Trapped on 22-12-2010 - Sanction of Prosecution - Accorded - Orders - Issued.

PACHAYAT RAJ & RURAL DEVELOPMENT (Vig.IV) DEPARTMENT

G.O.Ms.No.
August, 2011.

Dated:- 23rd

ORDER:-

WHEREAS, Sri Peethala Kotnis Babu, @ Peethala Doctor Kotnis Babu worked as Divisional Panchayat Officer, Rajahmundry Division, Rajahmundry, East Godavari District from 09-07-2008 to 22-12-2010 and by virtue of the post held by him, he falls under the category of a Public Servant as defined under section 2(c) of the Prevention of Corruption Act, 1988 (Act 49 of 1988).

2. AND WHEREAS, Sri Kakaraparthi Buli Veeranna S/o Gangaraju is working as Junior Assistant, Gram Panchayat Office, Choppella Village, Alamuru Mandal, East Godavari District since 06-11-2006.

3. AND WHEREAS, it is alleged that Sri Kakaraparthi Buli Veeranna while working in the above capacity was full additional in-charge for the post of Village Secretary O/o the Gram Panchayat, Choppella Village, Alamuru Mandal till the present Secretary Smt.Sujatha took charge on 9.10.2010 from Sri Kakaraparthi Buli Veeranna. The above Panchayat comes within the administrative limits of the Divisional Panchayat Officer, Rajahmundry. It is further alleged that Sri P.Kotnis Babu, who was then working as Divisional Panchayat Officer, Rajahmundry inspected the office of the Village Secretary, Choppella Gram Panchayat on 30-06-2010. Subsequently on 02-12-2010 the office of Gram Panchayat, Choppella received the schedule of official tour of Sri P.Kotnis Babu for inspection of records of Gram Panchayat, Choppella scheduled to be held on 10.12.2010. Accordingly, records were made ready for the inspection. Sri Peethala Kotnis Babu, @ Peethala Doctor Kotnis Babu, formerly Divisional Panchayat Officer, Rajahmundry Division, Rajahmundry, East Godavari District directed on 09-12-2010. Sri Kakaraparthi Buli Veeranna over phone to bring all the records to the office of the Gram Panchayat, Alamuru Village. Accordingly, on 10-12-2010 Sri Buli Veeranna along with the records went to the Gram Panchayat Office, Alamuru by 10.00 A.M. While verifying the records Sri Peethala Kotnis Babu asked Sri Buli Veeranna to come to his house on the following evening with an inspection report prepared as if it was prepared by Sri Peethala Kotnis Babu and while leaving the office, he took away the cash book of the office of the Panchayat Office, Choppella Village. On 11-12-2010 Sri Kakaraparthi Buli Veeranna went to the house of Sri Peethala Kotnis Babu along with the inspection report in quadruplicate. Sri Peethala Kotnis Babu, verified the same and asked him as to why he came with empty hands and also told that he would write favourable remarks about the

maintenance of the records and the functioning of your office if you pay the bribe amount of Rs.15,000/-. When Sri Buli Veeranna expressed his inability to pay the bribe amount informing his poor

P.T.O.

- 2 -

financial condition, Sri Peethala Kotnis Babu asked him to think over and meet it 2 or 3 days. When Sri K.Buli Veeranna informed the same to the Village Secretary, she advised him to convince Sri Peethala Kotnis Babu. Accordingly, on 14-12-2010 in the evening hours, when Sri K.Buli Veeranna went to the house of Sri Peethala Kotnis Babu and requested him, he reduced the bribe amount of Rs.10,000/- and threatened him stating that unless the bribe is paid he would not write favourably in the Inspection Report and he would issue grave charge memo to Sri Kakaraparthi Buli Veeranna on the ground that the records are not being maintained properly since Sri K.Buli Veeranna has been working for the past 4 years in the Choppella Gram Panchayat. Having no other option, Sri K.Buli Veeranna accepted the demand of Sri Peethala Kotnis Babu and requested a week time for arranging the bribe amount. Then Sri Peethala Kotnis Babu asked him to pay the bribe amount at his residence on the following Tuesday Evening or Wednesday morning i.e., 21-12-2010 or 22-12-2010 by keeping the bribe amount in an envelope. He also asked Sri K.Buli Veeranna to take back his office cash book after the bribe amount is paid. As Sri Buli Veeranna was not willing to pay the bribe amount he reported the same to the Dy.S.P., ACB. Rajahmundry range, who after observing the procedural formalities, registered a case in Cr.No.18/RCT-RJY/2010 under section 7 of P.C. Act, 1988 on 22-12-2010 and made arrangement for laying trap.

4. AND WHEREAS, having completed the pre trap proceedings on 22-12-2010, the trap party, Sri K.Buli Veeranna left to the house of Sri Peethala Kotnis babu, where Sri Peethala Kotnis Babu was trapped when he further demanded and accepted bribe amount of Rs.10,000/- from Sri Kakaraparthi Buli Veeranna. The S.C. solution test conducted on left hand fingers of Sri Peethala Kotnis Babu yielded positive result. In pursuance of the statement of Sri Peethala Kotnis Babu the inspection notes dated 10-12-2010 in quadruplicate available on his table with empty Annexure IV was seized by the DSP. During the search conducted in the house of Sri Peethala Kotnis babu one envelop was found in the wooden chair in between the foam seat covered with cloth and the plastic wire netted seat of the chair. On opening the envelop Rs.10,000/- was found and when compared, the serial numbers of the recovered currency notes were found to tally with that of the numbers of the currency notes those were handed over by Sri Kakaraparthi Buli Veeranna during pre trap proceedings and the same was seized by the DSP. The DSP got conducted chemical test on the plastic wire netted portion of the wooden chair seat and on the lower portion of (surface) the cloth cover of foam seat to which the tainted envelop came into contact, which yielded positive result. During the search the made up files relating to Inspection Notes dated 30-06-2010 of Sri Peethala Kotnis Babu on Choppella Gram Panchayat Village and 23-06-2010 on Rajanagaram Gram Panchayat without his signatures and without any remarks in Annexure-IV were found and the same

were seized. The DSP., also seized one cash book of Choppella Gram Panchayat maintained for the year 2010-2011. The DSP also seized the resultant solutions separately and the remaining S.C. Powder etc., The Personal-cum-Office Diary of Sri Peethala Kotnis Babu was also seized.

5. AND WHEREAS, the above said acts of Sri Peethala Kotnis Babu, @ Peethala Doctor Kotnis Babu, formerly Divisional Panchayat Officer, Rajahmundry Division, Rajahmundry, East Godavari District constitute offences punishable under sections 7 and 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988 (Act 49 of 1988).

Contd.....3

- 3 -

6. AND WHEREAS, the Government of Andhra Pradesh being the competent authority to remove Sri Peethala Kotnis Babu, @ Peethala Doctor Kotnis Babu, formerly Divisional Panchayat Officer, Rajahmundry Division, Rajahmundry, East Godavari District from service after fully and carefully examining the material (i.e., F.I.R., Mediator Names I & II, Gist of statement of witnesses, copies of made up files, connected documents and explanation offered by Sri Peethala Kotnis Babu etc.,) placed before them in respect of the said allegations and having regard to the circumstances of the case consider that Sri Peethala Kotnis Babu, @ Peethala Doctor Kotnis Babu, formerly Divisional Panchayat Officer, Rajahmundry Division, Rajahmundry, East Godavari District should be prosecuted in a Court of Law.

7. NOW THEREFORE, in exercise of the powers conferred by clause (b) of sub-Section (1) of Section 19 of the Prevention of Corruption Act, 1988, (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of Sri Peethala Kotnis Babu, @ Peethala Doctor Kotnis Babu, formerly Divisional Panchayat Officer, Rajahmundry Division, Rajahmundry, East Godavari District for the above said offences punishable under sections 7 & 13 (2) read with section 13(1)(d) of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a Court of competent jurisdiction.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA
PRADESH)**

**(Dr. RAJIV SHARMA)
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Director-General, Anti-Corruption Bureau, Hyderabad.